THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 16663 OF 1997

Date: 06.02.2007

Between:

T. Rangaiah and six others.

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Petitioners.

And

The Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad and two others.

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Respondents.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 16663 OF 1997

ORDER:

Petitioners seven in number claim to have been appointed by the second respondent on 01.09.1998 and to have put in more than five years of service. Petitioners claim to be entitled for regularization under G.O.Ms. No. 212 dated 22.04.1994. It is the case of the petitioner that they continue to remain in service though their services have not yet been regularized and that they have been extended the benefit of time scale of pay from 1997 pursuant to the interim orders of this Court.

Sri K. Ramakrishna, learned Counsel appearing on behalf of Sri P. Raghavendra Reddy, learned Counsel for the petitioner would submit that the petitioners are entitled to be regularized in terms of G.O.Ms. No. 212 dated 22.04.1994 since they have fulfilled the conditions prescribed therein. Learned Counsel would place reliance on a Division Bench judgment of this Court in **Secretary, A.P. Social Welfare Residential Educational Institutions Society Vs. P. Venkata Kumar**[1] wherein the Division Bench noted that, a single judge of this Court had held that, for the purpose of getting their services regularized, employees were not required to have put in five years continuous

service as on 25.11.1993 and that the aforesaid interpretation of G.O.Ms. No. 212 dated 22.04.1994 was upheld by the Supreme Court. The Division Bench observed that compliance of the requirement of G.O.Ms. No. 212 dated 22.04.1994, subject to the aforementioned interpretation, was mandatory. Following the judgment of the Division Bench in **P. Venkatakumar**[1] the writ petition is allowed and the second respondent is directed to consider the case of the petitioners for regularization in terms of G.O.Ms. No. 212 dated 22.04.1994.

Since the petitioners have been working as N.M.Rs for the past nearly two decades it is appropriate that the second respondent considers their cases for regularization at the earliest, in any event not later than three months from the date of receipt of a copy of this order.

The writ petition is allowed. However, in the circumstances, without costs.

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Date: 06.02.2007 RAMESH RANGANATHAN, J

MRKR

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[1] 2001(4) ALD 368